

1 JAMES A. OLIFF (*Pro Hac Vice*)
 2 JOHN W. O'MEARA (*Pro Hac Vice*),
 3 WILLIAM J. UTERMOHLEN (*Pro Hac Vice*),
OLIFF & BERRIDGE, PLC
 4 277 South Washington St., Suite 500
 Alexandria, Virginia 22314
 Tel: (703) 836-6400; Fax: (703) 836-2787
 5 e-mails: joliff@oliff.com, jomeara@oliff.com,
 wutermohlen@oliff.com

6
 7 SUSAN VAN KEULEN
 CA Bar No. 136060, svankeulen@thelen.com
 8 CHRISTOPHER L. OGDEN
 CA Bar No. 235517, cogden@thelen.com
 9 **THELEN REID BROWN RAYSMAN &**
STEINER, LLP
 10 225 West Santa Clara Street, Suite 1200
 San Jose, CA 95113
 Tel: (408) 292-5800; Fax (408) 287-8040

11
 12 Attorneys for Seiko Epson Corporation, Epson
 Research and Development, Inc. and Epson
 America, Inc.

13
 YITAI HU
 CA Bar No. 248085, yhu@akingump.com
 14 ELIZABETH H. RADER
 CA Bar No. 184963 erader@akingump.com
AKIN, GUMP, STRAUSS, HAUER &
FELD LLP
 Two Palo Alto Square
 3000 El Camino Real, Suite 400
 Palo Alto, CA 94306
 Telephone: (650) 838-2000;
 Fax: (650) 838-2001

15 Attorneys for Coretronic Corporation and
 Optoma Technology, Inc.

16
 17 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

18 SEIKO EPSON CORPORATION,)
 19 Plaintiff,) Case Nos. C 06-6946, 07-6055 MHP
 20 v.)
 CORETRONIC CORPORATION and) **STIPULATION AND [PROPOSED] ORDER**
 21 OPTOMA TECHNOLOGY, INC.,) **MODIFYING MEDIATION PROCESS**
 22 Defendants.) *As modified by court
 23
 24 AND RELATED COUNTERCLAIMS)
 25)
 26
 27
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1 WHEREAS the Court entered an Order on July 3, 2007, pursuant to a Stipulation of the
2 parties, providing for Court Process Mediation to occur within 90 days of the Court's Claim
3 Construction Order;

4 WHEREAS the Court's Claim Construction Order was issued on May 16, 2008;

5 WHEREAS the parties have agreed to proceed by Mediation through a private mediator
6 (former Judge Joseph V. Colaianni) and retained Judge Colaianni, at their mutual expense, in June
7 2008;

8 WHEREAS this Court issued a Notice of Appointment of Mediator to the Parties on July 15,
9 2008; and

10 WHEREAS the Parties have agreed to hold mediation on a mutually agreeable date after the
11 completion of invalidity fact discovery.

12 NOW, THEREFORE, THE PARTIES STIPULATE AND ASK THE COURT FOR AN
13 ORDER AS FOLLOWS:

- 14 1. Vacating the Notice of Appointment of Mediator entered on July 15, 2008;
15 2. Referring the consolidated cases herein for private mediation to be held at a date
16 agreeable to the parties after completion of invalidity fact discovery.

DATED: July 25, 2008

Respectfully submitted,

Yitai Hu (CA Bar No. 248085)
Elizabeth H. Rader (CA Bar No. 184963)
AKIN GUMP STRAUSS HAUER & FELD
LLP
2 Palo Alto Square
3000 El Camino Real, Suite 400
Palo Alto, California 94306
Telephone: (650) 838-2000
Facsimile: (650) 838-2001

Attorneys for Coretronic Corporation

/s/
James A. Oliff (*Admitted Pro Hac Vice*)
John W. O'Meara (*Admitted Pro Hac Vice*)
William J. Utermohlen (*Admitted Pro Hac Vice*)
OLIFF & BERRIDGE, PLC
277 South Washington Street, Suite 500
Alexandria, VA 22314
Telephone: 703-836-6400
Facsimile: 703-836-2787

Susan van Keulen (CA Bar No. 136060)
Christopher L. Ogden (CA Bar No. 235517)
THELEN REID BROWN RAYSMAN &
STEINER LLP
225 West Santa Clara Street, Suite 1200
San Jose, CA 95113
Telephone: (408) 292-5800
Facsimile: (408) 287-8040

Attorneys for Seiko Epson Corporation, Epson Research & Development Corporation and Epson America, Inc.

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Elizabeth H. Rader.

Dated: July 25, 2008

THELEN REID BROWN RAYSMAN & STEINER LLP

By: _____ /s/
Christopher L. Ogden, Esq.
(State Bar No. 235517)

Attorneys for Seiko Epson Corporation

1 Having considered the parties' statements and stipulations set forth above, and good cause
2 appearing therefore, IT IS HEREBY ORDERED THAT:

3 1. The Notice of Appointment of Mediator entered on July 15, 2008 be and hereby is
4 VACATED; and

5 2. These consolidated cases are referred for mediation through a private mediator
6 retained by the parties, to be held at a date agreeable to the parties after completion of invalidity fact
7 discovery. **TO BE COMPLETED BY NOVEMBER 3, 2008.**

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10 Dated: 7/30, 2008

